IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.593 OF 2007

In the matter of Section 439 of the Companies Act, 1956;

And

In the matter of Winding Up of the Sarda Papers Limited

Arvind K. Vakharia,
Prop. of M/s.Amit Roadways .. Petitioner.

Mr.Vinod Sharma for petitioner.

Ms.Premlata Modani for respondent.

CORAM : A.M.KHANWILKAR, J.
DATE : 27th November, 2007.

P.C.:

1. Counsel for the respondent submits that without prejudice to the rights and contentions of the respondent, in relation to other claims against the petitioner, arising out of transactions referred to the present petition, the respondent is willing to pay sum of Rs.23,040/- by Banker’s cheque, being transportation dues payable to the petitioner forthwith.

2. Counsel for the respondent assures that such payment will be made within one week from today. Counsel

for the petitioner, on instructions states that the offer made by the respondent is acceptable to the petitioner.

3. In the circumstances, this petition is disposed of on the assurance given by the respondent through counsel, which is accepted. It will be open for the petitioner to revive this petition in the event, the respondent fail to honour the commitment of paying sum of Rs.23,040/- to the petitioner within one week from today.

(A.M.KHANWILKAR, J.)